

RECEIVED
CENTRAL FAX CENTER

OCT 28 2004

Attorney's Docket No.: 10559-862001

Client's Ref. No.: P17310

Assignee: INTEL CORPORATION

OFFICIAL COMMUNICATION FACSIMILE:**OFFICIAL FAX NO: (703) 872-9306**

Number of pages including this page 3

Applicant : Valery M. Dubin

Serial No. : 10/688,854

Filed : October 17, 2003

Art Unit : 2823

Examiner : William M. Brewster

Title : Method Of Sorting Carbon Nanotubes

Commissioner for Patents

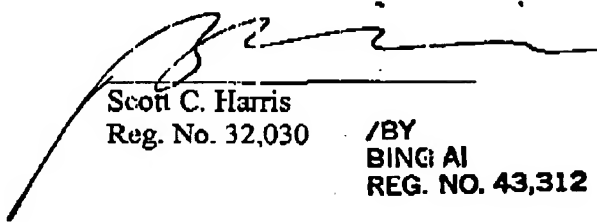
P.O. Box 1450

Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is A Response to Restriction Requirement (2 pages), faxed this 28th day of October 2004 to the United States Patent and Trademark Office.

Respectfully submitted,

Date: October 28, 2004


Scott C. Harris
Reg. No. 32,030/BY
BING AI
REG. NO. 43,312

Fish & Richardson P.C.
Attorneys for INTEL CORPORATION
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Fax: (858) 678-5099

10451328.doc

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (858) 678-5070 to arrange for its return. Thank you.

Attorney's Docket No.: 10559/862001 / P17310
Assignee: INTEL CORPORATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Valery M. Dubin Art Unit : 2823
Serial No.: 10/688,854 Examiner : William M. Brewster
Filed : October 17, 2003
Title : METHOD OF SORTING CARBON NANOTUBES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
CENTRAL FAX CENTER
OCT 28 2004

RESPONSE TO RESTRICTION REQUIREMENT

In response to the office action mailed October 8, 2004, applicant elects the invention of Species III drawn to protection of semiconducting SWNTs. The election is made without traverse.

Claims 4, 5, and 13-22 are in the elected Species III. Claims 1-3 in Species I are generic. Hence, under the above election, Claims 1-3, 4, 5, and 13-22 should be examined on merits.

In a telephone call on October 25, 2004, Examiner William Brewster indicated that Claims 6-12 and 23-25 belong to non-elected Species II drawn to protecting of metal SWNTs. The grouping of claims in the office action is incorrect and thus is superseded by the above grouping made during the telephone call.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

October 28, 2004

Date of Transmission

Signature

S. Gebhart

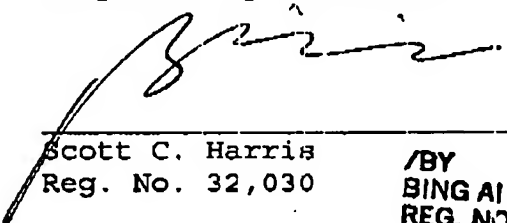
Name of Person Signing Certificate

Attorney's Docket No.: 10559/862001 / P17310

Please apply any charges or credits to Deposit Account
No. 06-1050.

Respectfully submitted,

Date: October 28, 2004



Scott C. Harris
Reg. No. 32,030

/BY
BING AI
REG. NO. 43,312

Fish & Richardson P.C.
Attorneys for INTEL CORPORATION
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

10450161.doc